

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2642

Introduced by Assembly Member Furutani

February 24, 2012

An act to amend Section ~~13510.1~~ 13514.5 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2642, as amended, Furutani. Peace officers: ~~certification~~. *training*.

Existing law establishes in the Department of Justice a Commission on Peace Officer Standards and Training. Existing law requires the commission to adopt and, from time to time, amend rules establishing minimum standards relating to physical, mental, and moral fitness that must govern the recruitment of peace officers, as specified. Pursuant to this authority, existing law requires the commission to ~~establish a certificate program for peace officers and for the California Highway Patrol. Existing law authorizes persons who are determined by the commission to be eligible peace officers to apply for the certificates, provided they are employed by an agency that participates in the Peace Officer Standards and Training (POST) program.~~ *implement a course or courses of instruction for the training of law enforcement officers in the handling of acts of civil disobedience and adopt guidelines that may be followed by police agencies in responding to acts of civil disobedience. Existing law requires that this course include adequate consideration of reasonable use of force, dispute resolution, nature and extent of civil disobedience, media relations, public and officer safety, documentation, report writing, evidence collection, and crowd control.*

~~This bill would make technical, nonsubstantive changes to the provision authorizing persons who are determined by the commission to be eligible peace officers to apply for the certificates require that the course of training for law enforcement officers also include adequate consideration of cultural competency in regard to race, ethnicity, gender, and sexual orientation.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13514.5 of the Penal Code is amended
2 to read:
- 3 13514.5. (a) The commission shall implement ~~on or before~~
4 ~~July 1, 1999~~, a course or courses of instruction for the training of
5 law enforcement officers in the handling of acts of civil
6 disobedience and adopt guidelines that may be followed by police
7 agencies in responding to acts of civil disobedience.
- 8 (b) The course of training for law enforcement officers shall
9 include adequate consideration of all of the following subjects:
- 10 (1) Reasonable use of force.
11 (2) Dispute resolution.
12 (3) Nature and extent of civil disobedience, whether it be passive
13 or active resistance.
14 (4) Media relations.
15 (5) Public and officer safety.
16 (6) Documentation, report writing, and evidence collection.
17 (7) Crowd control.
18 (8) *Cultural competency in regard to race, ethnicity, gender,*
19 *and sexual orientation.*
- 20 (c) (1) All law enforcement officers who have received their
21 basic training before July 1, 1999, may participate in supplementary
22 training on responding to acts of civil disobedience, as prescribed
23 and certified by the commission.
- 24 (2) Law enforcement agencies are encouraged to include, as
25 part of their advanced officer training program, periodic updates
26 and training on responding to acts of civil disobedience. The
27 commission shall assist these agencies where possible.
- 28 (d) (1) The course of instruction, the learning and performance
29 objectives, the standards for the training and the guidelines shall

1 be developed by the commission in consultation with appropriate
2 groups and individuals having expertise in responding to acts of
3 civil disobedience. The groups and individuals shall include, but
4 not be limited to, law enforcement agencies, police academy
5 instructors, subject matter experts and members of the public.
6 Different regional interests such as rural, suburban, and urban
7 interests may be represented by the participating parties.

8 (2) The commission, in consultation with the groups and
9 individuals described in paragraph (1), shall review existing
10 training programs to determine in what ways civil disobedience
11 training may be included as part of ongoing programs.

12 (e) As used in this section, "law enforcement officer" means
13 any peace officer as defined in Chapter 4.5 (commencing with
14 Section 830) of Title 3.

15 (f) It is the intent of the Legislature in enacting this section to
16 provide law enforcement officers with additional training so as to
17 control acts of civil disobedience with reasonable use of force and
18 to ensure public and officer safety with minimum disruption to
19 commerce and community affairs.

20 (g) It is also the intent of the Legislature in enacting this section
21 that the guidelines to be developed by the commission should take
22 into consideration the roles and responsibilities of all law
23 enforcement officers responding to acts of civil disobedience.

24 ~~SECTION 1. Section 13510.1 of the Penal Code is amended~~
25 ~~to read:~~

26 ~~13510.1. (a) The commission shall establish a certification~~
27 ~~program for peace officers specified in Sections 13510 and 13522~~
28 ~~and for the California Highway Patrol. Certificates of the~~
29 ~~commission established pursuant to this section shall be considered~~
30 ~~professional certificates.~~

31 ~~(b) Basic, intermediate, advanced, supervisory, management,~~
32 ~~and executive certificates shall be established for the purpose of~~
33 ~~fostering professionalization, education, and experience necessary~~
34 ~~to adequately accomplish the general police service duties~~
35 ~~performed by peace officer members of city police departments,~~
36 ~~county sheriffs' departments, districts, university and state~~
37 ~~university and college departments, or by the California Highway~~
38 ~~Patrol.~~

1 ~~(e) (1) Certificates shall be awarded on the basis of a~~
2 ~~combination of training, education, experience, and other~~
3 ~~prerequisites, as determined by the commission.~~

4 ~~(2) In determining whether an applicant for certification has the~~
5 ~~requisite education, the commission shall recognize as acceptable~~
6 ~~college education only the following:~~

7 ~~(A) Education provided by a community college, college, or~~
8 ~~university which has been accredited by the department of~~
9 ~~education of the state in which the community college, college, or~~
10 ~~university is located or by a recognized national or regional~~
11 ~~accrediting body.~~

12 ~~(B) Until January 1, 1998, educational courses or degrees~~
13 ~~provided by a nonaccredited but state-approved college that offers~~
14 ~~programs exclusively in criminal justice.~~

15 ~~(d) Persons who are determined by the commission to be eligible~~
16 ~~peace officers may apply for the certificates, provided they are~~
17 ~~employed by an agency that participates in the Peace Officer~~
18 ~~Standards and Training (POST) program.~~

19 ~~(e) The commission shall have the authority to cancel any~~
20 ~~certificate that has been obtained through misrepresentation or~~
21 ~~fraud or that was issued as the result of an administrative error on~~
22 ~~the part of the commission or the employing agency.~~